

Notice of Allowability

Application No.

09/534,757

Examiner

Bradley Edelman

Applicant(s)

SWEAT ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's Appeal Brief filed on 3/31/05.
2. ☒ The allowed claim(s) is/are 2-48.
3. ☒ The drawings filed on 24 March 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Bradley Edelman

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DETAILED ACTION

This Office action is in response to Applicant's Appeal Brief filed on March 31, 2005. Claims 2-45 are presented for further examination. Examiner has considered Applicant's arguments and agrees with some of Applicant's arguments. The claims are allowed for the reasons stated below.

Response to Arguments

Applicant's Appeal brief contains three main arguments:

1. Doherty does not disclose or suggest an interactive Web site configured to display drawings and text files.
2. Neither Doherty nor Glasser teach, disclose, or suggest project folders and standard folders wherein project related administration tasks are not available for standard folders.
3. Neither Doherty nor Glasser teach, disclose, or suggest the ability for a user on a website to have the ability to modify and organize project members, and for the user to define access permissions for such project members to access project folders, standard folders, drawings, and text files.

In considering (1), Applicant contends that Doherty does not disclose or suggest an interactive Web site configured to display drawings and text files. It is noted that regardless of whether Doherty discloses such features (Examiner concedes that the reference is somewhat sparse in its explicit description of project-specific web sites),

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such features are well known of project-specific websites as evidenced by the newly discovered AEC reference (A-E-C Automation Newsletter, July 1998, Vol. 22, Iss. 7 – see pp. 2-3). Therefore, the claims are not allowed because of those features.

In considering (2), Applicant contends that neither Doherty nor Glasser teach, disclose, or suggest project folders and standard folders wherein project related administration tasks are not available for standard folders. Examiner agrees with this argument.

In considering (3), Applicant contends that neither Doherty nor Glasser teach, disclose, or suggest the ability for a user on a website to have the ability to modify and organize project members, and for the user to define access permissions for such project members to access project folders, standard folders, drawings, and text files. Note again that the AEC reference discloses all of these limitations except for including the distinction between project folders and standard folders.

Allowable Subject Matter

Claim 2-48 are allowed.

The following is an examiner's statement of reasons for allowance:

In considering independent claims 2, 16, and 31, the prior art of record does not disclose the claimed apparatus, method, and computer program product including an interactive web site that provides access to architectural project information, including

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all of the limitations of the claim. The prior art of record specifically fails to disclose including project folders wherein project related administration tasks are available if a user is working with the project folders, and standard folders wherein project related administration tasks are not available when working with the standard folders, and further including defining access permissions for project members to access the project folders and the standard folders.

In other words, the claims specifically describe that projects include both the project folders and the standard folders and that project members have access to project folders to control administration tasks and standard folders (to presumably perform non-administration tasks). This is different from the cited Glasser reference, which describes "project" and "standard" folders, but does not describe that a particular project includes both a "project" and a "standard" folder.

In this manner, the claims are neither anticipated nor rendered obvious by the prior art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is 571-272-3953. The examiner can normally be reached from 9 a.m. to 5 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached at 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley Coleman

BE

June 22, 2005